

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

MARGA F. MASSEY, M.D., LLC,)
)
Plaintiff,)
) C/A No. 2:09-CV-2807-DCN
vs.)
)
PHYSICIAN CAPITAL GROUP, LLC,)
)
Defendant.)
)

 ORDER

This matter is before the court on plaintiff's motion for a preliminary injunction and defendant's motion to dismiss the amended complaint, or in the alternative, for an order compelling plaintiff to submit its claims to arbitration and to stay this action pending arbitration. Having thoroughly considered the parties' written and oral submissions, the court **DENIES** plaintiff's motion for a preliminary injunction and **GRANTS** defendant's motion to compel arbitration and stay these proceedings.

Though the court does not find that the extraordinary remedy of a preliminary injunction is warranted, the court did order defendant to transfer \$178,913.83 in collections from its attorney's trust account to the court's registry account, which defendant did on November 24, 2009. The court notes that plaintiff believes the amount of collections not yet remitted to plaintiff may actually be higher. If the parties agree after further investigation that the correct amount of collections exceeds \$178,913.83, the court orders defendant to deposit the additional amount in the court's registry account.

AND IT IS SO ORDERED.



DAVID C. NORTON
CHIEF UNITED STATES DISTRICT JUDGE

November 24, 2009
Charleston, South Carolina